

EXHIBIT 14

From: [Mark Lezama](#)
To: [Carson Olsheski](#); bpalapura@potteranderson.com; dmoore@potteranderson.com; [Greenfield, Leon](#); [Vote, Dominic](#); [Ford, Mark](#); [Milici, Jennifer](#); [Apple Masimo Service](#)
Cc: [Knobbe.MasimoDE](#); [Jack Phillips](#); [Megan C. Haney](#); [Elena K. Wentz](#)
Subject: Apple v. Masimo (Delaware) - Interrogatory Responses
Date: Friday, August 4, 2023 3:59:32 PM

Carson,

Thanks for conferring Wednesday on Masimo's fourth set of interrogatories. To confirm where things stand: Apple plans to supplement its response to interrogatories 24 and 25, but Apple would not provide a date by which it would do so. Apple also did not state what information it would provide in its supplementation. Apple declined to commit to supplementing its responses to interrogatories 26–28.

Since Apple failed to provide any substantive response to interrogatory 25 in the first instance, Apple's position is insufficient. Accordingly, we included interrogatory 25 in the request for teleconference Jared sent over this morning. Additionally, consistent with the discussion at yesterday's hearing, we have reviewed Apple's supplementation to interrogatory 3, including its response to interrogatory 27. Apple's responses to both interrogatories remain deficient. The points in my June 20 letter still apply. Apple's supplementation on the design patents in particular fails to answer the interrogatories. The statements regarding Apple's "kitchen table" approach tell Masimo nothing about what each person contributed to the claimed design. Apple's reliance on Rule 33(d) is improper. Absent further explanation from Apple, the cited documents provide no information the interrogatories ask for. And in any event, Apple is in a far superior position to glean from the cited documents whatever relevant information they contain. At a minimum, Apple should have conferred with each named inventor to find out what they believe they contributed and included that information in its interrogatory response. Please let us know by Monday whether Apple agrees to supplement by Wednesday its responses to interrogatories 3 and 27 to answer in full. If Apple declines to do so, Masimo will raise Apple's responses with the Court.

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